



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2022 Rhif 223 (Cy. 71) (C. 10)

2022 No. 223 (W. 71) (C. 10)

**DIOGELU'R AMGYLCHEDD,
CYMRU**

**ENVIRONMENTAL
PROTECTION, WALES**

Rheoliadau Deddf yr Amgylchedd
2021 (Cychwyn Rhif 1 a
Darpariaeth Arbed) (Cymru) 2022

The Environment Act 2021
(Commencement No. 1 and Saving
Provision) (Wales) Regulations
2022

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mae'r Rheoliadau hyn yn dwyn i rym ddarpariaethau penodedig o Ddeddf yr Amgylchedd 2021 (p. 30) ("y Ddeddf"). Y rheoliadau cychwyn hyn yw'r rhai cyntaf a wnaed gan Weinidogion Cymru o dan y Ddeddf.

Mae rheoliad 2 yn dwyn adrannau penodedig o'r Ddeddf i rym ar 7 Mawrth 2022. Mae adran 50 ac Atodlen 4 wedi eu cychwyn i'r graddau y maent yn ymwneud â Chymru ac maent yn darparu y caiff Gweinidogion Cymru wneud rheoliadau ynghylch rhwymedigaethau cyfrifoldeb cynhyrchwyr ac ynghylch gorfodi'r rheoliadau hynny. Mae adran 60 wedi ei chychwyn i'r graddau y mae'n ymwneud â Chymru ac mae'n diwygio Deddf Diogelu'r Amgylchedd 1990 (p. 43) er mwyn cynnwys pwerau i wneud rheoliadau ar wastraff peryglus ac yn gwneud mân ddiwygiadau i Ddeddf yr Amgylchedd 1995 (p. 25) mewn perthynas â gwastraff peryglus. Mae adran 64 yn diwygio Deddf yr Amgylchedd 1995 i'r graddau y mae'n gymwys i Gorff Adnoddau Naturiol Cymru er mwyn ategu pwerau presennol i godi tâl.

Mae rheoliad 3 yn cynnwys darpariaeth arbed ar gyfer Rheoliadau Rhwymedigaethau Cyfrifoldeb Cynhyrchwyr (Gwastraff Deunydd Pacio) 2007 (O.S. 2007/871), a wnaed o dan adrannau 93 i 95 o Ddeddf yr Amgylchedd 1995 yn bennaf, sydd wedi eu diddymu gan adran 50(6) o'r Ddeddf. Mae'n darparu bod y Rheoliadau'n parhau mewn grym o ran Cymru er gwaethaf diddymu eu pŵer galluogi, a'u bod yn cael effaith fel pe baent wedi eu gwneud o dan Atodlenni 4 a 6 i'r Ddeddf.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force specified provisions of the Environment Act 2021 (c. 30) ("the Act"). These are the first commencement regulations made by the Welsh Ministers under the Act.

Regulation 2 brings into force on 7 March 2022 specified sections of the Act. Section 50 and Schedule 4 are commenced so far as they relate to Wales and provide for the Welsh Ministers to make regulations about producer responsibility obligations and the enforcement of those regulations. Section 60 is commenced so far as relating to Wales and amends the Environmental Protection Act 1990 (c. 43) to include powers to make regulations on hazardous waste and makes minor amendments to the Environment Act 1995 (c. 25) relating to hazardous waste. Section 64 amends the Environment Act 1995 in so far as it applies to the Natural Resources Body for Wales to supplement existing charging powers.

Regulation 3 contains a saving provision for the Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (S.I. 2007/871), which were principally made under sections 93 to 95 of the Environment Act 1995, which are repealed by section 50(6) of the Act. It provides for the Regulations to remain in force in relation to Wales despite the repeal of their enabling power, and to have effect as if made under Schedules 4 and 6 to the Act.

2022 Rhif 223 (Cy. 71) (C. 10)

2022 No. 223 (W. 71) (C. 10)

**DIOGELU'R AMGYLCHEDD,
CYMRU**

**ENVIRONMENTAL
PROTECTION, WALES**

Rheoliadau Deddf yr Amgylchedd
2021 (Cychwyn Rhif 1 a
Darpariaeth Arbed) (Cymru) 2022

The Environment Act 2021
(Commencement No. 1 and Saving
Provision) (Wales) Regulations
2022

Gwnaed

4 Mawrth 2022

Made

4 March 2022

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pŵer a roddir gan adrannau 147(4) a 148(2) o Ddeddf yr Amgylchedd 2021(1).

The Welsh Ministers make the following Regulations in exercise of the power conferred by sections 147(4) and 148(2) of the Environment Act 2021(1).

Enwi a dehongli

Title and interpretation

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf yr Amgylchedd 2021 (Cychwyn Rhif 1 a Darpariaeth Arbed) (Cymru) 2022.

1.—(1) The title of these Regulations is the Environment Act 2021 (Commencement No. 1 and Saving Provision) (Wales) Regulations 2022.

(2) Yn y Rheoliadau hyn, ystyr “y Ddeddf” yw Deddf yr Amgylchedd 2021.

(2) In these Regulations, “the Act” means the Environment Act 2021.

Y darpariaethau sy'n dod i rym ar 7 Mawrth 2022

Provisions coming into force on 7 March 2022

2. Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 7 Mawrth 2022—

2. The following provisions of the Act come into force on 7 March 2022—

- (a) adran 50 (rhwymedigaethau cyfrifoldeb cynhyrchwyr), i'r graddau y mae'n ymwneud â Chymru;
- (b) adran 60 (gwastraff peryglus: Cymru a Lloegr), i'r graddau y mae'n ymwneud â Chymru;
- (c) adran 64 (pwerau i godi tâl), i'r graddau y mae'n ymwneud â Chorff Adnoddau Naturiol Cymru;
- (d) Atodlen 4 (rhwymedigaethau cyfrifoldeb cynhyrchwyr), i'r graddau y mae'n ymwneud â Chymru.

- (a) section 50 (producer responsibility obligations), so far as relating to Wales;
- (b) section 60 (hazardous waste: England and Wales), so far as relating to Wales;
- (c) section 64 (charging powers), so far as relating to the Natural Resources Body for Wales;
- (d) Schedule 4 (producer responsibility obligations), so far as relating to Wales.

Darpariaeth arbed

3. Er gwaethaf y ffaith bod adran 50(6) o'r Ddeddf yn dod i rym yn rhinwedd rheoliad 2(a), sy'n diddymu adrannau 93 i 95 o Ddeddf yr Amgylchedd 1995 o ran Cymru, mae Rheoliadau Rhwymedigaethau Cyfrifoldeb Cynhyrchwyr (Gwastraff Deunydd Pacio) 2007(1) yn parhau mewn grym ac yn cael effaith fel pe baent wedi eu gwneud o dan Atodlenni 4 a 6 i Ddeddf yr Amgylchedd 2021 i'r graddau y maent yn gymwys i Gymru.

Saving provision

3. Notwithstanding the coming into force of section 50(6) of the Act by virtue of regulation 2(a), which repeals sections 93 to 95 of the Environment Act 1995 as regards Wales, the Producer Responsibility Obligations (Packaging Waste) Regulations 2007(1) remain in force and have effect as if made under Schedules 4 and 6 to the Environment Act 2021 in so far as they apply to Wales.

Lee Waters

Y Dirprwy Weinidog Newid Hinsawdd o dan awdurdod y Gweinidog Newid Hinsawdd, un o Weinidogion Cymru
4 Mawrth 2022

Deputy Minister for Climate Change under authority of the Minister for Climate Change, one of the Welsh Ministers
4 March 2022

© Hawlfraint y Goron 2022

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Jeff James, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2022

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

(1) O.S. 2007/871, a ddiwygiwyd gan O.S. 2007/3538, 2008/1941, 2010/1159, 2849, 2011/226, 988, 1043, 2012/3082, 2013/755, 182, 1857, 2016/241, 696, 738, 1146, 1154, 2018/721, 2019/188, 2020/904, 1540.

(1) S.I. 2007/871 amended by S.I. 2007/3538, 2008/1941, 2010/1159, 2849, 2011/226, 988, 1043, 2012/3082, 2013/755, 182, 1857, 2016/241, 696, 738, 1146, 1154, 2018/721, 2019/188, 2020/904, 1540.

£4.90

<http://www.legislation.gov.uk/id/wsi/2022/223>

ISBN 978-0-348-39263-0



9 780348 392630